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HOUSE BILL 457

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Gail C. Beam

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO HEALTH; AUTHORIZING IMPLEMENTATION OF A PILOT PROGRAM TO TRAIN AND CERTIFY SCHOOL MEDICATION AIDES TO ASSIST PUBLIC SCHOOL STUDENTS WITH MEDICATIONS; AMENDING THE NURSING PRACTICE ACT; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-3-1 NMSA 1978 (being Laws 1968, Chapter 44, Section 1) is amended to read:

"61-3-1. SHORT TITLE. - - [~~Sections 67-2-1 through 67-2-26 New Mexico Statutes Annotated, 1953 Compilation~~] Chapter 61, Article 3 NMSA 1978 may be cited as the "Nursing Practice Act". "

Section 2. A new section of the Nursing Practice Act is enacted to read:

"[NEW MATERIAL] SCHOOL MEDICATION AIDES TRAINING-- PILOT

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1 PROGRAM --

2 A. The board shall adopt rules to establish a  
3 school medication aides training pilot program to educate and  
4 certify persons to administer prescription drugs and other  
5 medications to public school students during school hours. The  
6 program shall be established in five regions of the state and  
7 include a maximum of thirty school medication aide trainees  
8 each year.

9 B. The board shall adopt, pursuant to Section  
10 61-3-10 NMSA 1978, educational standards and certification  
11 requirements to certify school medication aides to administer  
12 prescription drugs and other medications.

13 C. The board shall appoint a school medication  
14 aides advisory committee to be chaired by a representative of  
15 the board and include representatives from the nursing programs  
16 of the university of New Mexico and New Mexico state  
17 university, the state department of public education, a  
18 statewide association of nurses and a statewide association of  
19 school nurses. The advisory committee shall develop and  
20 recommend educational requirements and, in conjunction with  
21 both the board and the state department of public education,  
22 the procedures necessary for school medication aides to safely  
23 administer prescription drugs and other medications to public  
24 school students.

25 D. A school medication aide trainee may not

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1 administer prescription drugs and other medications to public  
2 school students except under the immediate supervision of a  
3 licensed registered nurse who is licensed by the state  
4 department of public education. A certified school medication  
5 aide may not administer prescription drugs and other  
6 medications to public school students in a school that had, in  
7 the year immediately preceding, the services of a licensed  
8 registered nurse licensed by the state department of public  
9 education.

10 E. For purposes of this section, "school medication  
11 aide" means a person training or certified to administer  
12 prescription drugs and other medications to public school  
13 students under supervision of a licensed registered nurse who  
14 is licensed by the state department of public education."

15 Section 3. APPROPRIATION.--One hundred thousand dollars  
16 (\$100,000) is appropriated from the general fund to the board  
17 of nursing for expenditure in fiscal years 2003 and 2004 for  
18 the purpose of establishing a school medication aides training  
19 pilot program of thirty school medication aide trainees in  
20 public schools in five regions of the state. Any unexpended or  
21 unencumbered balance remaining at the end of fiscal year 2004  
22 shall revert to the general fund.

23 Section 4. EMERGENCY.--It is necessary for the public  
24 peace, health and safety that this act take effect immediately.